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HEIGHT MINIMUM ANALYSIS

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The question of the utilization of Policewomen in traditionally male functions has recently been the subject of considerable concern in both the law enforcement community itself, and among those responsible for making personnel-related decisions within City management. As the research and discussion of this question continue, a collateral matter has emerged; that being the question of what height standard should be applied to those women who are to be assigned to what are characterized as the more dangerous and more physically demanding functions. Police and City administrators throughout the nation, as well as State and Federal courts, have had to come to grips with this problem and arrive at a decision which is both equitable, and legally defensible.

It appears that the City of Los Angeles has now reached this juncture and must make its decision based not only upon empirical data, but upon the knowledge gained through the collective years of experience of law enforcement agencies throughout the nation.

In reaching a decision regarding the appropriate minimum height for police officers, it is important to look at the total responsibility which these men bear. There are currently more than 7,000 Los Angeles police officers. They are responsible for providing law enforcement services 24 hours a day, 365 days a year. They respond to the needs of, and provide protection for both the 2.8 million people who reside in the City and the more than one million

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people who daily commute to the City for business or pleasure. They patrol a total area of 468 square miles. During the year 1972, they investigated a total of 228,160 Part I offenses and attempts¹. In addition to the Part I offenses and attempts, 42,534 Part II offenses were reported². The value of property lost as a result of crime was reported at \$54,546,723³. In viewing these statistics, it becomes apparent that no compromises can be made where the personal safety and property of the citizens of this City are at stake.

Valuable experience was gathered as two representatives of this Department made a trip to four Eastern cities which have recently placed women in traditionally male patrol jobs. The women experienced varying degrees of success but one recurring problem was noted; that being the question of their ability to handle situations requiring physical strength.⁴ Three of the four departments had retained their height minimum for women at a level of 5'4" or below. It was suggested by many of the persons interviewed that had the women been taller, several beneficial effects would have resulted. They would have enjoyed an increased sense of confidence in their

¹Part I offenses include homicide, forcible rape, robbery, aggravated assault, burglary, larceny except vehicle theft, and vehicle theft.

²Part II offenses include other assaults, forgery and counterfeiting, embezzlement and fraud, buying and selling stolen property, carrying and possession of weapons, prostitution and allied offense, sex offenses, except rape and prostitution, offenses against family and children, narcotic drug laws, liquor laws, drunkenness, disorderly conduct, disturbing the peace, gambling, driving while intoxicated, violating traffic M.V. laws, others, Federal offense and non-criminal detention.

³Statistical Digest, 1972, LAPD

⁴Policewoman Field Study, LAPD, April, 1973

ability to handle situations of this nature, and male officers would have been less resentful of being assigned a female partner. The men would not have had to experience the fear of having a partner who might not only be incapable of protecting them but who might also jeopardize their safety. The establishment of a rigid height standard, the same for both men and women, would perhaps be the most probable guarantee of success that the Policewoman program could be given.

There is a wide range of duties to which a Los Angeles Police Officer may be assigned but initially most recruits spend at least 12 months in a patrol assignment. Many remain there for the majority of their career. Patrol officers are expected to respond to all calls in their district, and "hot" calls in adjoining areas; they must stop and interview persons engaged in suspicious activities; they must arrest suspected criminals; investigate groups of loitering juveniles for drug, drinking and curfew violations; they must perform crowd control functions at parades, festivals, and scenes of civil disturbances; they must walk a footbeat, and may be called upon to work the drunk wagon. A more detailed listing of the specific job duties which they will be expected to discharge effectively is attached.⁵ (Addendum 1)

This Department has determined that to successfully meet the physical challenges of field police work and to effectively discharge the duties of a patrol officer requires a person who is at least 5'8" tall.

ANALYSIS OF HAZARD IN POLICE CONTACTS

A common view of police work includes the proposition that the vast majority of the functions performed are ministerial in nature and

⁵ Job Information Record, JIR #011C, LAPD, 1973

non-hazardous. To determine if this was in fact true, the Department undertook a critical analysis of the specific activities performed by a sample median metropolitan division. (Addendum 2)

Officer activities, as recorded in the Daily Field Activities Report Logs, were segregated according to either the presence or absence of contact with another person. These activities were then identified as being in one of three categories: Hazardous, Latently Hazardous, or Ministerial.

Hazardous situations were defined as those in which officers were involved in shootings, altercations, the apprehension of felony suspects, or other circumstances in which officers were exposed to a high degree of personal danger. Latently Hazardous situations were those in which a distinct possibility of violence existed, those in which a state of tension was present (either citizen v. citizen, or citizen v. police). Examples of specific activities included in this category were field interrogation of suspects, investigation of burglary alarms, and arrest of misdemeanor suspects. Situations deemed Ministerial in nature were those in which the likelihood of physical harm to officer was remote; specific situations included taking routine reports or citing absentee parking violators. The 356 report logs which were analyzed represented 2,718 activities. Their classification revealed the following:

- * 78% of the activities involved personal contact with a citizen, suspect, arrestee, etc.; of these, 8% were considered to be Hazardous; 72% Latently Hazardous,

and 20% Ministerial.

- * 22% of the situations involved no personal contact; of these, 4% were rated as Hazardous; 68% Latently Hazardous; and 28% Ministerial.
- * Of the total number of activities, 7% were classified as Hazardous; 71% Latently Hazardous; and 22% Ministerial in nature.

As these percentages indicate, the routine job of a police officer is one which contains a vast majority of dangerous or latently dangerous situations (78%).

CASE LAW

Considerable litigation has been generated within the past twenty years which was directed toward abolishing discriminatory differentiations in education, housing, governmental benefits, and employment practices. These cases have clearly indicated that the constitutional dictates of this country will not tolerate the denial of opportunities based upon requirements which deal inequitably with members of a particular class and which are not shown to be related to the job to be performed. This Department, of course, gives no less than its wholehearted support to this doctrine. For this reason, it has itself made the recommendation that the designation of sex be removed from all ranks and positions within this Department in which it is not shown to be specifically job-related.

There can be no question that there is, in fact, a place for women

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in all phases of law enforcement. In this Department's view, neither can there be any question as to the validity of the requirement that those women who would be required to perform the most dangerous and the most physically demanding of law enforcement duties meet a minimum level of height.

The establishment of a minimum height level has only recently come under judicial scrutiny. Both the Equal Employment Opportunities Commission (EEOC) and several courts have had to deal with this question. The EEOC found that a 5'5" minimum applied on the basis of the need to reach certain machines in a production line was unreasonable; they suggested that platforms could be used to elevate even the shortest employee to the proper height level.⁶ The Commission also rejected the 5'7" minimum which was established by a manufacturer of air conditioning equipment. They found the employers' reasons amounted only to business convenience rather than business necessity.⁷ Similarly, the New York-Pennsylvania Professional Baseball League was found to be discriminating through the application of the 5'10", 170 lb. minimum which they applied to applicants for the position of umpire.⁸ The New York City Department of Parks and Recreation's 5'7" minimum for lifeguards was rejected as the court compelled the agency to allow a 5'6" woman to be tested for the position.⁹

⁶ EEOC Decision, Dec. No. 71-1418, March 17, 1971, 1 CCH EPG #6223 (1971).

⁷ EEOC Decision, Dec. No. 71-2643, June 25, 1971, 1 CCH EPG #6286 (1971).

⁸ New York State Division of Human Rights v. New York-Pennsylvania Professional Baseball League, 36 A.D.2d 364, 320 N.Y.S. 2d 788 (Sup. Ct. App. Div. 1971), aff'd mem., 29 N.Y.2d 921, 279 N.E.2d 856, 329 N.Y.S. 99 (1972).

⁹ State Div. of Human Rts. v. New York City Dept. of Parks and Recreation, 38 A.D.2d 25, 326 N.Y.S. 2d 640 (Sup. Ct. App. Div., 1971).

In each of the aforementioned cases it is fairly easy to distinguish between the particular occupations involved and that of law enforcement. Policemen cannot carry platforms around with them in order to be taller and gain the psychological advantage which height carries with it. It can clearly be seen that this Department considers physical stature very much a business necessity rather than a convenience. In terms of the 5'10", 170 lb. minimum applied to umpire applicants, this Department is far below that extreme standard and appears to have far better reasons for requesting a minimum height be maintained. It could be suggested that the lifeguard job requires physical strength as does the police officer's job; there is, however, a specific difference in that the maximum physical stress which could be placed on a lifeguard is subject to a pre-employment test. No one has defined the various demands which may be made on a police officer during his career. Additionally, the lifeguard is not faced with having to control large, potentially violent crowds or subdue hostile suspects. The demands which a lifeguard will face can be clearly anticipated and prepared for; the police officer deals with the unexpected.

The maintaining of a minimum height for police officers has received favorable response from the judiciary. Two cases in which this question was specifically considered by the court and upheld were Pedro Castro v. Nancy Beecher, et al¹⁰ and Veragene Hardy v. William Stumpf.¹¹

¹⁰Castro v. Beecher, 459 F.2d 725 (1972).

¹¹Hardy v. Stumpf, Cal. Super. Ct., Alameda County, No. 415,761, May 5, 1972, 4 CCH EPD #7836 (1972). On Appeal - 1 Civ. 32689; Div. 3, San Francisco Court of Appeals.

In Castro v. Beecher, the Massachusetts Federal District Court held that Boston's 5'7" height standard was

"...not unconstitutional. It is probable that while height is not determinative of fitness to be a policeman, any more than it is of fitness to become an athlete or a general, it is significantly related to fitness to be a policeman, as it is not to being a judge or a scientist."

It is important to note that the Federal judge rendering the decision in this case did not find it necessary to show that a person below the established height standard could not do the job; it was sufficient to show that the standard was job related.

Hardy v. Stumpf is of particular importance as it represents the only decision relating to the minimum height of police officers by a California court. Here the Superior Court, Alameda County, in upholding Oakland's 5'7" minimum, found "that all the requirements of age, height, weight, education, strength, agility and other requirements are reasonably connected with and necessary to the normal operational duties of a police patrolman".

STATISTICAL DATA

The U.S. Department of Health, Education and Welfare, in a report entitled "Weight, Height and Selected Body Dimensions of Adults", U.S. - 1960-1962, observes that changes in the human body size have been taking place throughout the course of human evolution but at an accelerated rate in recent times. This trend is reflected in the comparison in Army inductees measured at three times during a forty-year period.

During World War II, they were .67 inches taller and 10.7 pounds heavier than their counterparts during World War I. This group, when

measured during 1957-58 was .50 inches taller and 7 pounds heavier than the WW II inductees; this made the total increase from 1917-18 through 1957-58 about 1.2 inches and 18 pounds. The same trend is supported by studies of the civilian population. Beginning in 1959, the Department of Health, Education and Welfare initiated a National Health Survey to secure statistics on the health status of the population. Almost 8,000 persons were selected in a nationwide probability sample. They ranged from ages 18-79 and included a stratified random sample of virtually the entire adult civilian population in this country. The various racial and ethnic groups were included on a proportional basis.

This study revealed that the average American male between 18 and 34 years old was 68.9 inches (approximately 5'9"). The average female within that same age group was 63.8 inches (approximately 5'4"). (See Addendum 3A). Based on the trend reflected in the study earlier referred to, it can be expected that these averages would have increased slightly during the 14 years which have elapsed since the data was originally gathered.

An analysis of height by age and ethnic group was made for the Department of Defense.¹² This study reflected that the height of the 21-22 year old Caucasian was 69.49 inches; for his Negro counterpart was 69.22 inches; while those in the "Other" category which included

¹² Karpinos, Bernard D. - Unpublished data, derived from tabulations by the Medical Statistics Agency, Office of the Surgeon General, Department of the Army, accomplished in connection with a general "Medical Disqualification Study" conducted for the Department of Defense (Manpower), August, 1969 through January, 1970.

Mexican-Americans, Orientals, Indians, etc., was 66.92 inches.

(See Addendum 3B)

As these statistics reveal, the "Other" group which consisted of mainly Mexican-Americans is, on the average, significantly shorter than the other two major ethnic breakdowns. It should be noted in this regard that the Chief of the Puerto Rican Police reports that he maintains a 5'7" minimum for his agency. Despite the fact that his recruitment base is obviously predominantly of Latin extraction (the average male height being 5'6"), he has no difficulty in staffing his department with those meeting the 5'7" level. Mexico City, Mexico, reported a similar experience after raising its height minimum for police officers from 5'6" to 5'8" in 1969.

The El Paso, Texas, Police Department also maintains a 5'8" minimum, but this level has not hindered the hiring of Mexican-Americans. According to Chief Robert Minnie, approximately 52% of the total sworn personnel have Spanish surnames.

HEIGHT STUDIES - VARIOUS DEPARTMENTS

Realizing the absence of valid information in this field, the Los Angeles County Sheriff's Department applied for and received a grant for a two-year study during which they would examine various factors and attempt to determine if any correlation existed between those factors and the individual's height. The specific areas which were considered included personnel evaluations for a two-year period, tenure, number of commendations, disciplinary action, academy grades, ratio of personnel complaints to sustained investigations, job-related injuries or illness claims, and on-the-job traffic accidents. This indepth report should be available within the next several months and will undoubtedly provide considerable, valuable information.

In the interim, departments throughout the nation have attempted to compile statistical data on a shorter range basis. In 1971, the Seattle Police Department tabulated the officers who were victims of assault. They reported that the 5'9" officers, who represented only 14.7 percent of the force, were involved in 19.4 percent of the assaults. The Michigan State Police viewed the other side of the question as they identified the assailants by height. They found that 70.5 percent of all assaults were perpetrated by individuals who were 5'9" or taller. When that department looked at arrest histories, they found 59.8 percent of all those arrested were 5'9" or taller. At that time, 15,715 traffic and 22,596 criminal warrants were in the department's computer system; 57.8 and 53.4 percent respectively were for individuals 5'9" or taller.

The Metropolitan Police Department (Washington, D.C.) also looked at the percentage of assaults experienced by officers in the various height groups. They determined that the highest percentage is experienced by the 5'7" officers and the second highest percentage by the 5'8" officers. The relationship between height and the number of times an officer used his revolver while on duty established that the 5'7" and 5'8" officers again led the field.

The Los Angeles Police Department has made considerable efforts to review statistics to determine the height of the person with whom the police officer must deal. In this regard it was discovered that the average male arrestee is 68.9 inches; 69.3 percent of these individuals are 5'8" or taller. The average female arrested by this

Department is 64.7 inches; 13.7 percent are 5'8" or taller. Based on these figures the projection may be made that approximately 62 percent of the individuals arrested by officers in this City will be 5'8" or taller. (Addendum 3C)

Information gathered in 1972 reflected that a total of 244,151 arrests were made in the City; 220,497 were men and 23,654 were women.¹³

A third source of data is the Department's computerized PATRIC System. (Addendum 3D) It was discovered that 42,819 crime reports had been made by mid-April of this year. The height listed for the suspects described in those reports reveal the average male suspect to be 68.2 inches and the average female 66.8 inches.

This Department additionally surveyed officer-involved shootings, altercation injuries and personnel complaints to determine if there was a correlation between height and frequency of involvement in any of the three areas (see Addenda 4A,B & C). Although none reflect irrefutable patterns, trends were identified which appear worthy of consideration.

The survey of officer-involved shootings reflected that the officers on the shorter end of the scale, i.e., 5'9" and below, represented only 22.8 percent of the Department and yet accounted for 26.3 percent of the incidents of this nature. The study of altercation-injuries revealed that 29.2 percent of all patrol policemen were

¹³ Statistics Digest, 1972, LAPD

5'9" and below and yet they sustained 34.8 percent of altercation-injuries reported for that year. In evaluating the number of allegations of excessive force, conduct unbecoming an officer, and improper tactics, the 5'8" officers, although comprising only 7.6 percent of the Department, accounted for over 11 percent of the complaints registered in these three areas. Particularly noteworthy was their disproportionate number of excessive force complaints as that group accounted for 20 percent of the total number of incidents in this category.

The statistics regarding the number of excessive force complaints for the shorter officers are of particular interest. Most individuals who have had prior police experience express the belief that shorter officers are picked on more often than their taller counterparts and that shorter officers frequently demonstrate the need to prove themselves. These statistics may also lend credence to the theories advanced by some psychiatrists that some shorter people perceive their height as a deficiency, and that when placed in a position of authority, may respond in an overly aggressive or abrasive manner. Personality traits of this type would be particularly unsuited for police work.

POLICE PERSONNEL ADMINISTRATION LOOK AT HEIGHT

Writers in the field of police administration have recognized the correlation between height and certain characteristics which have been found to be important in police work. Wilson and McLaren in Police Administration commented:

"It should not be forgotten that the policeman is frequently called upon to display both strength and agility, and it is desirable that the standards for all police officers be worked out in such a way that there will be more officers in the upper height range. The small man is at a disadvantage in dealing with a crowd or with an unruly individual. The larger man is better able to observe in a crowd, and his size tends to instill a respect not felt toward the smaller person."

Municipal Police Administration, a source long relied on by administrative personnel throughout the country, lists physical attributes which are usually associated with a police candidate having a "high probability of success"; one of these attributes is height. The book states:

"Height requirements for police candidates have a psychological rather than a medical basis. Apparently taller men have a more imposing appearance which, in turn, makes it necessary for them to resort to force less often."

A third book in the field, Police Personnel Management, by A. C. German, refers to the same point in observing "imposing height has always been regarded as a psychologically sound asset to a police officer."

At the time the Law Enforcement Assistance Administration was considering promulgation of guidelines which labeled height standards as discriminatory, law enforcement administrators from throughout the country directed correspondence to that agency voicing their protest. A sample of the comments of some of these prominent individuals are attached (See Addenda 5A, B, C, D).

Among the strongest opponents of the elimination of height standards were Dr. Terry Eisenberg, International Association of Chiefs of Police, Professional Standards Division, and Roger Reinke, IACP, Professional Standards Division. In their article published in the "Police Chief", March, 1973, entitled "The Use of Written Examination in Selecting Police Officers: Coping with the Dilemma", they said:

"There is considerable pressure in some jurisdictions to eliminate height requirements, sometimes on the basis of sex discrimination. Because of the possible hazards to the physical and emotional well being of new police recruits, experienced police officers, and the public in general which are implicit in the elimination of minimum height and/or sex requirements, the changing of these particularly sensitive criteria should be approached cautiously and with at least some empirical foundation. The evidence and practical experience presently available do not indicate that these requirements are specifically bona fide occupational necessities, nor is it

indicated that they are not. Until valid research results are in hand, existing requirements should be maintained."

5'7" MINIMUM UNDER COMPENSATING FACTORS DOCTRINE

Several years ago this Department faced a critical manpower shortage. Concerted efforts were made in a number of areas in order to broaden the recruitment base. One of the significant steps included in this program was the adoption of the compensating factors doctrine. Under this provision, candidates who fail to meet one of the physical requirements for acceptance by this Department were allowed to petition to have that particular inadequacy waived. Under this provision, those who were 5'7" were considered for hiring if they met one of the four special requirements, those being, possession of a bachelors degree, ability to speak a foreign language, experience as a commissioned officer in the military, or possession of exceptional physical skills.

It was theorized that the handicap faced by the officers below the national height average (5'9") be compensated for by the possession of the particular skill which qualified them. It was never the intention of this Department that 5'7" represents a realistic height minimum for officers. The manpower position has made a dramatic turn-around, and the City of Los Angeles now enjoys a highly favorable position in the labor market. The supply of candidates is such that it has become possible to temporarily suspend testing, as there are far more qualified candidates under the existing requirements than can be hired within the current

budgetary limitations. It might be noted that only seventeen 5'7" officers hired under this exception are presently with the Department.

SEPARATE CLASS OF POLICEWOMEN

This Department is firmly committed to the view that a rigid minimum height is imperative for police personnel who will be assigned to highly dangerous and physically demanding field duties, while at the same time being convinced that women can make significant contributions to law enforcement in numerous other areas beside that of uniform patrol. Because it recognizes that some women possess both the ability and the desire to perform those duties traditionally classified as "male", it wishes to open these opportunities to all who meet what it considers to be the minimum physical requirements. Conversely, those who fall below the 5'8" minimum and who seek the challenge of the assignments currently being performed by women should not be excluded from the field of law enforcement to which they are contributing so much. It is the view of the administration of this Department that the only solution which meets both legal requirements and deals equitably with those women currently employed or those who may be seeking a career in law enforcement in the future would be the creation of the class of Police Officer for those males and females who meet the minimum height requirement, while simultaneously maintaining the currently established Policewoman series of positions.

The women who choose the Policewoman rather than the Police Officer series would be eligible for assignment in those areas in which women have proven their effectiveness in the past. This would include working with juveniles; investigating sex-related crimes; performing undercover surveillance in vice, narcotics, and intelligence cases; investigating bunco, forgery, and shoplifting incidents; coordinating training for Policewomen; searching female prisoners; and investigating missing person reports.

CONCLUSION

The Los Angeles Police Department prides itself on its progressive approach to law enforcement. It is recognized as a leader among agencies of this nature not only throughout the nation, but throughout the world. It has been the first to take any progressive steps. It has been quick to adopt the benefits of technological advances in order to improve its service to the citizens of Los Angeles. It has developed and is implementing a civilianization process which is unequaled by any other police department. It is eager to adopt any other personnel changes which can be shown to contain the potential for attracting better qualified candidates. Upon the completion of the research which is currently being conducted in this area by other major law enforcement agencies, it will review the results and make an intelligent, well informed decision in this highly critical area.

The Police Department, in cooperation with the Personnel Department, is currently reviewing all hiring and promotional standards. Research is being conducted to validate the written examination currently given to police applicants, to ensure that the disqualifying factors in background investigations are equally applied to all, and to verify that all promotional procedures are job-related. This review process has recently led to the tentative approval for the reinstitution of a pre-employment physical agility test.

It has not been proven that any of these have, to date, been demonstrated as truly job-related or truly predictive of an individual's success in his particular field of endeavor. Neither has anyone suggested that Policemen be hired on the basis of the first ten people in line on any given morning, or that promotions be made by lottery. The selecting, the training, and the promoting of all City employees is a matter of vital concern. The areas of the hiring of police officers hardly seems appropriate for experimentation. There is no justification for anything less than the very best police officer that the City of Los Angeles can put on the street. One hundred and four years of law enforcement experience has led this Department to the conclusion that height is related to the job to be performed.

When those who would effect these changes can demonstrate that their proposals will benefit rather than jeopardize the citizens of Los Angeles, this Department will be the first to recommend

the adoption of the modifications they propose. Until that time, an overwhelming sense of responsibility for the safety of the citizens and the officers of this City compels this Department to register the strongest opposition to any lowering of the current height standard.

JOB DESCRIPTION - PATROL POLICEMAN

When assigned to a one-man or two-man patrol unit, checks pin maps and activity reports of other watches to determine crimes committed, crime patterns and modus operandi used in the assigned radio district; attends roll call to be briefed on incidents, wanted suspects, stolen vehicles, missing persons, and other items; patrols the assigned radio district concentrating on high frequency crime areas and known trouble spots; must be alert for wanted suspects, known criminals, stolen vehicles, missing persons, traffic violators, AWOL military personnel, and crimes in progress; makes checks of open businesses such as markets, banks, department stores, service stations, and others; responds to all calls in the district and "hot" calls in adjoining areas; makes preliminary investigations at scenes of incidents to which summoned or observed and determines what, if any, crime has been committed; apprehends and books suspects; searches for, recognizes, preserves, and books evidence; locates and interviews any and all parties and witnesses; may give advice or counsel to citizens in answer to a radio call or when summoned on the street; stops and interviews suspicious-looking persons, completes a field interrogation report and checks for outstanding wants or warrants; investigates groups of loitering juveniles for drugs, drinking or curfew violations; testifies in court regarding any incident involved in; prepares and files a daily field activities report; may investigate traffic accidents, makes reports, and provides any services necessary such as first aid, tow service and directing traffic; may service subpoenas or warrants; may be required to assume specialized duties such as a preliminary investigation of a homicide when specialized personnel are unavailable; may relieve the desk officer at the station; may perform crowd control at parades, festivals, riots and other events; may walk a foot beat; may serve on a horse detail; may perform as a traffic checker in hazardous areas; and performs related duties.

ANALYSIS OF HAZARD IN POLICE CONTACTSSUMMARY

| <u>TOTAL FIELD ACTIVITY</u> | <u>OCCURRENCES</u> | <u>PERCENTAGE</u> |
|-----------------------------|--------------------|-------------------|
| Hazardous | 180 | 7% |
| Latently Hazardous | 1940 | 71% |
| Ministerial | <u>598</u> | <u>22%</u> |
| Total | 2718 | 100% |

| <u>PERSONAL CONTACT ACTIVITY</u> | <u>OCCURRENCES</u> | <u>PERCENTAGE</u> |
|----------------------------------|--------------------|-------------------|
| Hazardous | 158 | 8% |
| Latently Hazardous | 1530 | 72% |
| Ministerial | <u>431</u> | <u>20%</u> |
| Total | 2119 | 100% |
| (78% of Total Field Activity) | | |

| <u>NON-PERSONAL CONTACT ACTIVITY</u> | <u>OCCURRENCES</u> | <u>PERCENTAGE</u> |
|--------------------------------------|--------------------|-------------------|
| Hazardous | 22 | 4% |
| Latently Hazardous | 410 | 68% |
| Ministerial | <u>167</u> | <u>28%</u> |
| Total | 599 | 100% |
| (22% of Total Field Activity) | | |

HEIGHT STATISTICS

Height of Average American

Average height, representative sampling, statistics gathered 1959, published in Weight, Height, and Selected Body Dimensions of Adults - United States - 1960-62, by U. S. Department of Health, Education, and Welfare.

| | |
|-------|-----------------------|
| Men | (18-34) - 68.9 inches |
| Women | (18-34) - 63.8 inches |

Height by Race

Average height of males (21-22) by race; derived from tabulations by Bernard D. Karpinos, Medical Statistics Agency, Office of the Surgeon General, Department of the Army (August, 1969 - January, 1970).

| | |
|-----------------------------------|----------------|
| Caucasian | - 69.49 inches |
| Black | - 69.22 inches |
| Mexican-American, Oriental, Other | - 66.9 inches |

Height of Arrestees

Average height of LAPD arrestees:

| | | |
|--------|---------------|---------------------------|
| Male | - 68.9 inches | 69.3% were 5'8" or taller |
| Female | - 64.7 inches | 13.7% were 5'8" or taller |

Height of Suspects

Average height of suspects described in crime reports for Part I offenses for LAPD (42,819 reports - January 1, 1973 to April 25, 1973). Source: PATRIC Print-Out, LAPD, April 25, 1973.

| | |
|--------|---------------|
| Male | - 68.2 inches |
| Female | - 66.8 inches |

Officers Involved in Shootings, by Height,
for All Sworn Personnel - 1972

| <u>HEIGHT</u> | <u>% OF TOTAL DEPARTMENT</u> | <u>% OF TOTAL SHOOTINGS</u> | <u>% SHOOTINGS ABOVE/ BELOW % OFFICERS AT THAT HEIGHT</u> |
|---------------|----------------------------------|---------------------------------|---|
| 5'7 | .1 | | |
| 5'8 | 7.6 | 7.7 | +0.1 |
| 5'9 | 15.1 | 18.6 | +3.5 |
| 5'10 | 19.0 | 17.3 | -1.7 |
| 5'11 | 18.6 | 19.2 | +0.6 |
| 6'0 | 16.8 | 15.4 | -1.4 |
| 6'1 | 10.3 | 10.9 | +0.6 |
| 6'2+ | <u>12.5</u> | <u>10.9</u> | <u>-1.6</u> |
| TOTAL | 100.0 | 100.0 | |

Altercation-Injuries, by Height,
Reported by
Patrol Policemen - 1972

| <u>HEIGHT</u> | <u>% OF TOTAL PATROL OFFICERS</u> | <u>% OF TOTAL INJURIES</u> | <u>% INJURY ABOVE/ BELOW % OFFICERS AT THAT HEIGHT</u> |
|---------------|---------------------------------------|--------------------------------|--|
| 5'7 | .6 | .5 | -0.1 |
| 5'8 | 10.3 | 11.9 | +1.6 |
| 5'9 | 18.3 | 22.4 | +4.1 |
| 5'10 | 19.4 | 18.6 | -0.8 |
| 5'11 | 16.8 | 14.8 | -2.0 |
| 6'0 | 13.8 | 14.3 | +0.5 |
| 6'1 | 9.4 | 8.5 | -0.9 |
| 6'2+ | 11.4 | 9.0 | -2.4 |
| TOTAL | 100.0 | 100.0 | |

Personnel Complaint Allegations, by Height,
for All Sworn Personnel - 1972

| <u>HEIGHT</u> | <u>% OF TOTAL DEPARTMENT</u> | <u>% OF TOTAL ALLEGATIONS</u> | <u>% ALLEGATION ABOVE/ BELOW % OFFICERS AT THAT HEIGHT</u> |
|---------------|----------------------------------|-----------------------------------|--|
| 5'7 | .1 | | |
| 5'8 | 7.6 | 11.0 | +3.4 |
| 5'9 | 15.1 | 15.2 | +0.1 |
| 5'10 | 19.0 | 18.4 | -0.6 |
| 5'11 | 18.6 | 16.2 | -2.4 |
| 6'0 | 16.8 | 18.0 | +1.2 |
| 6'1 | 10.3 | 9.9 | -0.4 |
| 6'2+ | <u>12.5</u> | <u>11.3</u> | <u>-1.2</u> |
| TOTAL | 100.0 | 100.0 | |

COMMENTS - OTHER ADMINISTRATORS

At the time Law Enforcement Assistance Administration decided to publish guidelines which labeled height standards as discriminatory and jeopardized the federal funding of agencies applying same, many of those affiliated with law enforcement agencies throughout the country expressed their disagreement with this position. The following are a representative sampling of same.

"Proposed guideline on "The Effect on Minorities and Women of Minimum Height Requirements for Employment of Law Enforcement Officers."

As stated in our telegram, our opposition is based ~~on the opinion of numerous police administrators~~ that reducing the minimum height requirements will result in less efficient performance of police work in many tasks which police must perform. This opinion is subjective, but uniformly held by all administrators contacted.

Experience in our state also indicates that reasonable minimum height requirements do not interfere with the recruitment of Mexican-Americans, as shown by a statement from James H. Avant, Chief of Police, Corpus Christi: "I am opposed to the deviation from our present minimum height requirements of 5'8" for police officers. We have had no problems in obtaining officers of Mexican-American descent at Corpus Christi, based on the population of the race. The Corpus Christi Police Department has approximately 50% Mexican-Americans on the force which is above the population percentage in Corpus Christi."

Our opposition is further based on the fact that the balance between the forces of crime and the peace keeping forces is very tenuous, and nobody knows how serious would be the adverse effects of lowering the height requirements."

Joe Frazier Brown
Executive Director
Texas Criminal Justice Council

"The growing movement toward establishing less rigid height requirements and leaving the determination of the desirable height and weight relationship to someone such as the examining physician, does not take into consideration that certain standards must be set in order to see to it that there is a high probability of success for those who are selected as police candidates. Certainly it can be said that many capable men of less than average height are lost to police service when standards rule out their application because of the one factor, namely their lack of height. It can be further stated that the trained techniques of self-defense are effective regardless of the height and the weight of the individual. We, at no time, want to waste a man who could qualify in every respect except that of height. We alone should not make this determination. From the study that we undertook, we came to the realization that no meaningful study has been done in this area and before there can be any changes such as suggested, we feel that the survey, although not complete, is supportive of the fact that minimum height requirements are an operational necessity for most if not all police jobs. It cannot be forgotten that the patrolman is frequently and constantly called upon to display strength and agility. It certainly cannot be contradicted that a small man is at a disadvantage in dealing with large crowds or in dealing as we have been forced lately with riotous groups that wish to take law and order into their own hands to satisfy their particular wants. A taller man is better able to observe in a crowd and his size tends to instill a fear not felt toward a smaller person. If you ask the man who is actually doing the job he will tell you that there are two unique situations. One is the rookie who does not know how to handle all situations and the second is the size of the officer. His size tends to increase the respect given to him by the individuals he comes in contact with. When you ask any policeman what the advantages are in being tall--I think the reply you will receive will be "it certainly saves a lot of fighting"."

Robert D. Gordon
Executive Director
International Conference of
Police Associations

"We do not believe that maintaining present personnel selection standards is inconsistent with the minority recruiting concept. Primarily, our position is based on the fact that no reasonable assumption can be made relating height requirements to effective police service. The law enforcement community is totally lacking any empirically formulated data to say whether or not there is a correlation between height and the ability to perform the police role. No nationwide research has yet been conducted in this field.

It appears that the decision to abandon height requirements, as described in the Justice Department guideline, is based solely on the contention that specific minorities and women are disproportionately discriminated against in the selection process. In view of the fact that minority group members and women are being assimilated into the police service in ever increasing numbers, this decision would seem to be arbitrary and completely void of any credible information source.

We should be able to say definitely and positively that there is or is not a relationship between height and the ability to function effectively in any given police situation. An intensive examination of factors contributing to police deaths and injuries would be paramount to the research necessary for this determination. A comprehensive inspection of records concerning days off due to injury is equally important to an equitable decision to establish selection standards.

I am not able to state positively that a relationship exists between height and the danger each officer must face in the daily routine of law enforcement. I am unable to say that height is a variable that should be considered in relation to the probability of an officer being attacked, assaulted, or killed.

No one can make that statement!

As an organization whose responsibility it is to fund law enforcement research, it would be entirely suitable and proper for LEAA to take the initiative and lead the way to deciding this most important question. The data concerning police deaths and injuries is available to us. It needs to be collected, analyzed, and measured against the needs of the service to determine if, in fact, a relationship does or does not exist.

"The circumstances of each police casualty must be studied in depth. The actions of the officer at time of death or injury, the actions of the assailant, type of weapon used, assailant profile, population, region, agency involved, type of injury, and the height, weight, sex, and age of individuals involved are just some of the factors to be considered in deliberating the question that is now before you.

Your (LEAA) decision is difficult. It will affect law enforcement throughout the United States for many years to come. And, until some correlation is found through empirical research, we should not arbitrarily abandon the standards of selection and performance that have brought American law enforcement recognition as the ultimate expression of public service by the police community of the free world.

The recruitment and selection process for police officers is based upon minimum physical, mental, and emotional requirements. Police work is a hazardous profession, to say the least. This is evidenced by the fact that ninety-six police officers were killed on duty in the first eleven months of this year. Effective law enforcement demands courage, fortitude, and perseverance. There is danger in casually and haphazardly experimenting with the lives of new recruits, veteran officers, and our citizens.

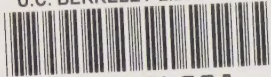
Until some basis in fact is found to indicate that a police officer's height is related to effective service, the IACP is unalterably opposed to the implicit risks of lowering the professional standards of the service."

Quinn Tamm
Executive Director
International Association of
Chiefs of Police

"Because of the need to assign our officers in many instances to work alone in these rural areas, his safety as well as that of the law violator is a prime consideration in our selection process. Our experience reflects that officers with greater physical stature encounter fewer problems in effecting custody arrests and in making general violator contacts than do officers of smaller stature."

Wilson E. Speir
Director
Texas Department of
Public Safety

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